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SUBJECT: PRT WASIT: PLAYING ON THE SAME TEAM: THE IRAQI
POLICE/JUDICIARY RELATIONSHIP IN WASIT PROVINCE

¶1. (SBU) Summary: The relationship between the Iraqi Police (IP) and judicial personnel in Wasit province appears to have improved significantly over the last year after reaching a low point marked by violence in late 2008. Corruption, bribery, and failure to work jointly plagued the relationship, and came to a head in December 2008 when a gunfight broke out among rival security details at a courthouse during a PRT engagement. PRToffs credit sustained efforts by both the police and judiciary, effective Iraqi Higher Judicial Council policies, and PRT Wasit Rule of Law encouragement/training for some of the apparent improvements in the relationship one year later. A highlight of that progress is the broad attendance and enthusiastic response by both the IP and local judiciary at a forensic seminar last month. End Summary.

¶2. (SBU) During a meeting between the Wasit Chief Judge (CJ) and PRToffs on 28 December 2008, gun shots were fired. Reportedly, the CJ,s security guards and IP officers arriving for a meeting with the CJ exchanged gunfire. The firefight took place in the parking lot in front of the Al Kut Courthouse Administration Building. The CJ, an IP officer, and two American 41st Fires Brigade officers restored order between the Judge,s staff and the IP. The CJ ordered both the Provincial Director of Police and one of his own aides off courthouse property for their role in the fight. All IP personnel left the area, along with one court employee who had been involved in the incident. Several IP personnel later returned to the courthouse area and a second shooting incident occurred. Neither incident resulted in any injuries. (Note: This incident previously was reported in the January 2009 PRT Rule of Law Situation Report. End Note)

¶3. (SBU) This violent manifestation of intra-governmental hostility suggested that the investigative and judicial system was broken. But part of the process of healing the system occurred at a meeting immediately following the shooting. The PRT,s Rule of Law Adviser was at that meeting and secured the skeptical CJ,s support to continue regular training sessions for Iraqi investigative police conducted by provincial judges. The CJ continued the training sessions and, a year later, despite personnel changes in Chief Judge leadership and investigative judge positions, these courses remain a mainstay of the police/judicial nexus. These 12 to 15 officer training sessions are four week courses, held two days per week with an examination at the end.

¶4. (SBU) The relationship strengthened further during the summer of 2009 when Chief Judge Medhat of the Iraqi Higher Judicial Council reassigned virtually all chief judges, including those in Wasit. He apparently took this move in an effort to break up perceived patterns of corruption. One effect of judicial reassignments in Wasit was that police officers and minor court officials were dismissed from their jobs when judges, orders were ignored or corruption was uncovered. Examples include a newly assigned judge firing a police officer who violated the judge,s orders concerning abuse of detainees. The prior judge had failed to act. Another example is the demotion of a senior Al Kut court administrator because he charged unauthorized fees for the

use of the restroom at the courthouse. Thus, the judicial shakeup was an effective agent of change. Since a police officer's job in Wasit allegedly cost a \$1000 bribe at the time, the loss had serious financial implications. Police at all levels bought in to the concept that judges, orders had to be strictly obeyed. The new CJ also began to focus on detainee rights and conditions resulting in fewer forced confessions and more secure convictions. Similarly, anecdotal reporting of police accepting cash to free arrested people declined during this period. On the judicial side, the work of investigative judges in responding to police requests for warrants is noteworthy. As an example, the five investigative judges in Al Kut, the largest provincial city, issue a total of 250 to 300 warrants each day.

15. (SBU) At the Wasit Chief Judge's invitation, the PRT Rule of Law team hosted a forensic evidence seminar in downtown Al-Kut in late January, which included a presentation by a former FBI agent. Twenty-eight Iraqi police attended this half-day conference, along with approximately 32 judges from courthouses throughout the Province. They all sat together--albeit on opposite sides of the room--and were soon involved in an interactive question and answer session about proper procedures to follow in collecting, preserving and analyzing evidence such as DNA, hair follicles, cloth fibers and fingerprints. The audience participation and response was overwhelmingly positive. Even the Provincial Governor expressed his thanks for demonstrating what is possible through the use of forensics.

16. (SBU) Comment: During the seminar break, policemen and judges interacted normally with no hints of hostility or tension. Our conclusion is that the rift of a year ago has largely healed. The visible signs of a positively evolving

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IP/judicial dynamic are clear. The PRT plans to coordinate training opportunities for personal security details (PSD) assigned to guard judges and continues to focus its efforts on judiciary training of IP officers and introduction to basic forensic methods for investigative judges; all of this to help bridge the institutional gaps between the Iraqi judiciary and law enforcement. An additional gap-bridging measure, modeled on a task force in Anbar province, is the current effort to form a US Forces/Iraqi investigative task force for Wasit to bring US Forces investigative know-how and technical assets to bear on Iraqi police investigations. When the task force deploys, its work should substantially strengthen the IP/judiciary relationship. End comment.

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